

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

| | | | |
|----------|---|------|----------------|
| Case No. | CV 08-3592 AHM (VBKx) | Date | March 20, 2009 |
| Title | PRIMERICA LIFE INSURANCE COMPANY v. KELLY ANN PORTER, <i>et al.</i> | | |

| | |
|------------------------|-------------------------------------|
| Present: The Honorable | A. HOWARD MATZ, U.S. DISTRICT JUDGE |
|------------------------|-------------------------------------|

| | | |
|--|--|----------|
| Stephen Montes | Not Reported | |
| Deputy Clerk | Court Reporter / Recorder | Tape No. |
| Attorneys NOT Present for Plaintiffs: | Attorneys NOT Present for Defendants: | |

Proceedings: IN CHAMBERS (No Proceedings Held)

The *Ex Parte* Application of Defendants-in-Interpleader Kelly Ann Porter, Charles Edward Porter, and H.R.P. ("the Children") to enforce the terms of their written settlement agreement with Lorna Boyd is **DENIED WITHOUT PREJUDICE**. They have failed to establish sufficient reasons for proceeding *ex parte* rather than by way of noticed motion. *See Mission Power Engineering Co. v. Continental Cas. Co.*, 883 F.Supp. 488, 492 (C.D. Cal. 1995). In their Notice of the *ex parte* application, the Children requested that the application be converted into a regularly noticed motion in the event the Court deems it improper for them to proceed *ex parte*. The Court will therefore treat it as a noticed motion. The Court hereby **ORDERS**:

1. The Children shall file an unredacted copy of the settlement agreement in question (under seal, if necessary) by not later than March 23, 2009.
2. Lorna Boyd's opposition shall be filed by not later than April 6, 2009. The Children's Reply shall be filed by not later than April 13, 2009. The motion will be calendared for a hearing on April 20, 2009.

Initials of Preparer

:

SMO